

RESPONSE TO OFFICE ACTION
Serial No. 09/776,329
Page 12 of 14

REMARKS

This is intended as a full and complete response to the Office Action dated February 13, 2004, having a shortened statutory period for response set to expire on March 13, 2004. Please reconsider the claims pending in the application for reasons discussed below.

The Applicants have chosen to expedite prosecution of this application by amending the claims into a form indicated as allowable by the Examiner. The Applicants reserve the right to prosecute the original subject matter without prejudice in continuation/divisional applications.

CLAIM REJECTIONS

A. 35 U.S.C. §112

Claims 2 and 11-15

Claims 2 and 11-15 stand rejected under 35 U.S.C. §112. The Applicants respectfully disagree with regard to claim 2. The Applicants have amended claim 11 to more clearly recite aspects of the invention.

Regarding claim 2, it is implied that the second precursor co-reacts with the portion of the first precursor that is chemisorbed on the substrate. The limitations of claim 2 recite that the first and second precursors are provided sequentially. In contrast, claim 1 provides no limitation as to the order that precursors are provided to the chamber. Claim 11 has been amended to clarify that a tantalum layer is formed from the first reactant.

Thus, the Applicants submit that claims 2 and 11 are in patentable form. Claims 12-15 are patentable by virtue of the amendment to claim 11. Accordingly, the Applicants respectfully request the rejection be withdrawn.

256992

RESPONSE TO OFFICE ACTION
Serial No. 09/776,329
Page 13 of 14B. 35 U.S.C. §102(e) **Claim 37**

Claim 37 stands rejected as being anticipated by United States Patent No. 6,203,613 to Gates, et al., (hereinafter referred to as "Gates"). In response, the Applicants have cancelled claim 37.

ALLOWED AND NEW CLAIMS

The Applicants thank the Examiner for his comments regarding the allowability of claims 1, 4-8, 16-23, 32-36 and 45-47. Applicants additionally thank the Examiner for his comments regarding the allowability of claims 2 and 11 if rewritten to overcome the rejection under 35 U.S.C. §112. Applicants also thank the Examiner for his comments regarding the allowability of claims 38-48, if rewritten in independent form to include the limitations of base and intervening claims. In response, claims 2 and 11 have been amended to address the rejection under 35 U.S.C. §112. Claim 38 has been rewritten in independent form as suggested by the Examiner.

New claims 51-58 have been added. Claims 39 and 43-44 have been rewritten as new independent claims and 51 and 57-58 as suggested by the Examiner. The Applicants submit that no new matter has been entered, and that claims 52-56 are patentable at least by their dependence from claim 51. Accordingly, the Applicants request allowance of these claims, and all claims depending therefrom.

CONCLUSION

Thus, the Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited.

If, however, the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Mr. Keith Taboada at (732) 530-9404 so that

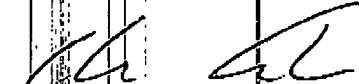
256992

RESPONSE TO OFFICE ACTION
Serial No. 09/776,329
Page 14 of 14

appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

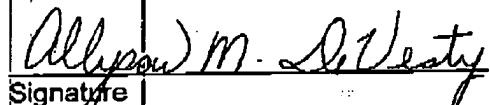
March 18, 2004


Keith P. TABOADA
Attorney Reg. No. 45,150
(732) 530-9404

Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Suite 100
Shrewsbury, NJ 07702

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile under 37 C.F.R. §1.8 on March 18, 2004 and is addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No: (703) 872-9306.


Signature
Allison M. DeVestry
Printed Name of Person Signing
3-18-04
Date of signature

256992